UNITED STATES DISTRICT COURT	EASTERN DISTRICT OF TEXAS
DAVID LINDON HARPINE,  Petitioner,	& & & & & & & & & & & & & & & & & & &
versus	§ CIVIL ACTION NO. 1:06-CV-21
T.C. OUTLAW,	<b>§</b> §
Respondent.	<b>§</b>

## MEMORANDUM ORDER OVERRULING PETITIONER'S OBJECTIONS AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

Petitioner David Lindon Harpine, an inmate at the Federal Correctional Complex in Beaumont, Texas, brought this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241.

The court referred this matter to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends that the above-styled petition be dismissed.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings and all available evidence. Petitioner filed objections to the magistrate judge's Report and Recommendation. This requires a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes Petitioner's objections are without merit.

## ORDER

Accordingly, Petitioner's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED at Beaumont, Texas, this 27th day of October, 2006.

Marcia A. Crone

MARCIA A. CRONE

UNITED STATES DISTRICT JUDGE